

1
2 BILL NO. G-77-07-31

3 GENERAL ORDINANCE NO. G-3477

4 AN ORDINANCE amending General
5 Ordinance No. G-97 by authorizing
the vacation of a certain street.

6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
7 OF FORT WAYNE, INDIANA:

8 SECTION 1. Petition for the vacation of a certain
9 street having been filed with the Fort Wayne City Plan Commission
10 in accordance with Section 44, Chapter 174, of the Acts of the
11 General Assembly of the State of Indiana, as amended by
12 Section 3, Chapter 385, of the Acts of 1963 of the General
13 Assembly of the State of Indiana, I.C. 18-7-5-46, the
14 Thoroughfare Plan as set forth in General Ordinance No. G-97
15 adopted by the Common Council of the City of Fort Wayne on
16 November 26, 1963, is amended by deleting the following
17 street, to-wit:

18 Part of the right-of-way of Decatur Road (formerly U.S. #27)
19 in the Southeast Quarter of Section 25, Township 30 North,
20 Range 12 East, Allen County, Indiana, lying Westerly of and
adjacent to Lot #40 in Gardendale Addition to the City of
Fort Wayne, and being more particularly described as follows,
to-wit:

21 Beginning at the Northwest corner of Lot #40; thence N 90°-00' W
22 (assumed bearing) on and along the Westerly projection of the
23 North line of said Lot #40, a DISTANCE OF 48.1 feet to a point
situated 1.0 feet East of an existing concrete sidewalk; thence
24 S 10°-58' E, and parallel to said sidewalk, 101.0 feet to the
point of curvature of a regular curve to the right having a
25 radius of 256.2 feet; thence Southeasterly, on and along the
arc of said curve and continuing 1.0 feet East of said Sidewalk,
51.1 feet (the chord of which bears S 05°-15' E for a length
26 of 51.02 feet) to the Westerly projection of the North right-
of-way line of Tillman Road as established by a dedication of
27 right-of-way across said Lot #40 as recorded at Document #71-
13783 in the Office of the Recorder of Allen County, Indiana;
28 thence S 90°-00' E, on and along said Westerly projection of
said North right-of-way line, being a line situated 40.0 feet
29 (measured at right angles) North of and parallel to the center-
line of Tillman Road, 153.0 feet to the Westerly line of said
30 Lot #40; thence Northwesterly, on and along said Westerly line,
being also the Easterly right-of-way line of Decatur Road as
31 defined by a regular curve to the right, having a radius of
1100.92 feet, an arc distance of 197.87 feet (the chord of which
32 bears N 40°-39'-30" W, for a length of 197.6 feet) to the
point of beginning, containing 0.326 acres of land.


33
34 APPROVED AS TO FORM
AND LEGALITY.

35

CITY ATTORNEY

1
2 SECTION 2. After passage of this Ordinance, approval
3 by the Mayor and legal publication, a duly certified copy of
4 this Ordinance, of the recommendation of the Fort Wayne City
5 Plan Commission, and of the action of the Mayor, shall be
6 transmitted by the City Clerk to the Board of Public Works of
7 the City of Fort Wayne, Indiana.

8 SECTION 3. This Ordinance shall be in full force and
9 effect from and after its passage, approval by the Mayor and
10 legal publication thereof.

11
12 
13 Councilman
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Read the first time in full and on motion by V. Schmidt, seconded by Hunter, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 7-26-77

Charles W. Wintersman
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>0</u>	_____	<u>1</u>	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>✓</u>	_____	_____	_____	_____
<u>MOSES</u>	_____	_____	_____	<u>✓</u>	_____
<u>NUCKOLS</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 9-13-77

Charles W. Wintersman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. 2-34-77 on the 13th day of September, 1977
ATTEST: (SEAL)

Charles W. Wintersman
CITY CLERK

John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977 at the hour of 11:30 o'clock A M., E.S.T.

Charles W. Wintersman
CITY CLERK

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P M., E.S.T.

Rahel Elmstrong
MAYOR

Bill No. G-77-07-31

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending General Ordinance No. G-97 by authorizing the vacation of
a certain street

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance No PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

WINFIELD C. MOSES, JR. - VICE CHAIRMAN

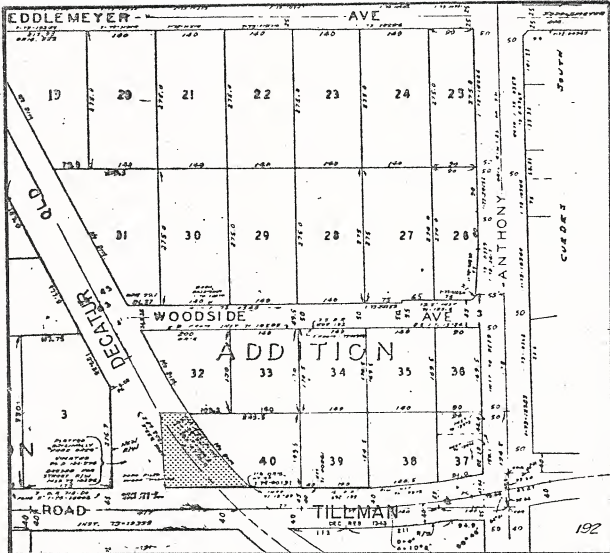
WILLIAM T. HINGA

DONALD SCHMIDT

SAMUEL J. TALARICO

Vivian G. Schmidt
Winfield C. Moses Jr.
William T. Hinga
Donald Schmidt
Samuel J. Talarico

DATE 9-13-77 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK



To be vacated

3-8-77

C-14

L.S.

~~6-77-04-07~~

6-77-07-31

R E S O L U T I O N

WHEREAS, LEO A. KLIER and NANCY M. KLIER, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public right-of-way of Old Decatur Road, situated in Allen County, Indiana, to-wit:

Part of the former right-of-way of Decatur Road (formerly U.S. # 27) in the Southeast Quarter of Section 25, Township 30 North, Range 12 East, Allen County, Indiana, lying Westerly of and adjacent to Lot # 40 in Gardendale Addition to the City of Fort Wayne, and being more particularly described as follows, to-wit:

Beginning at the Northwest corner of Lot # 40; thence N 90°-00' W (assumed bearing) on and along the Westerly projection of the North line of said Lot # 40, a DISTANCE OF 48.1 feet to a point situated 1.0 feet East of an existing concrete sidewalk; thence S 10°-58' E, and parallel to said sidewalk, 101.0 feet to the point of curvature of a regular curve to the right having a radius of 256.2 feet; thence Southeasterly, on and along the arc of said curve and continuing 1.0 feet East of said Sidewalk, 51.1 feet (the chord of which bears S 05°-15' E for a length of 51.02 feet) to the Westerly projection of the North right-of-way line of Tillman Road as established by a dedication of right-of-way across said Lot # 40 as recorded at Document # 71-13783 in the Office of the Recorder of Allen County, Indiana; thence S 90°-00' E, on and along said Westerly projection of said North right-of-way line, being a line situated 40.0 feet (measured at right angles) North of and parallel to the centerline of Tillman Road, 153.0 feet to the Westerly line of said Lot # 40; thence Northwesterly, on and along said Westerly line, being also the Easterly right-of-way line of Decatur Road as defined by a regular curve to the right, having a radius of 1100.92 feet, an arc distance of 197.87 feet (the chord of which bears N 40°-39'-30" W, for a length of 197.6 feet) to the point of beginning, containing 0.326 acres of land

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18,7-5-46;

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on Monday, August 15, 1977, at 7:30 o'clock p.m., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public right-of-way;

WHEREAS, said vacation of right-of-way has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board, and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public right-of-way, hereinbefore described, conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public right-of-way hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said right-of-way or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of right-of-ways in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Joseph N. Adair Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on May 16, 1977, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 29th DAY OF August, 1977

FORT WAYNE CITY PLAN COMMISSION

Joseph N. Adair

Joseph N. Adair
Secretary

64-220-23
5/14/

R E S O L U T I O N

WHEREAS, LEO A Klier AND NANCY M. Klier, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street, in Allen County, Indiana, to-wit:

Part of the former right-of-way of Decatur Road (formerly U. S. # 27) in the Southeast Quarter of Section 25, Township 30 North, Range 12 East, Allen County, Indiana, lying Westerly of and adjacent to Lot # 40 in Gardendale Addition to the City of Fort Wayne, and being more particularly described as follows, to-wit:

Beginning at the Northwest corner of said Lot # 40; thence N 90°-00' W (assumed bearing) on and along the Westerly projection of the North line of said Lot # 40, a distance of 48.1 feet to a point situated 1.0 feet East of an existing concrete sidewalk; thence S 10°-58' E, and parallel to said sidewalk, 101.0 feet to the point of curvature of a regular curve to the right having a radius of 256.2 feet; thence Southeasterly, on and along the arc of said curve and continuing 1.0 feet East of said Sidewalk, 51.1 feet (the chord of which bears S 05°-15' E for a length of 51.02 feet) to the Westerly projection of the North right-of-way line of Tillman Road as established by a dedication of right-of-way across said Lot # 40 as recorded at Document # 71-13783 in the Office of the Recorder of Allen County, Indiana; thence S 90°-00' E, on and along said Westerly projection of said North right-of-way line, being a line situated 40.0 feet (measured at right angles) North of and parallel to the centerline of Tillman Road, 153.0 feet to the Westerly line of said Lot # 40; thence Northwesterly, on and along said Westerly line, being also the Easterly right-of-way line of Decatur Road as defined by a regular curve to the right, having a radius of 1100.92 feet, an arc distance of 197.87 feet (the chord of which bears N 40°-39'-30" W, for a length of 197.6 feet) to the point of beginning, containing 0.326 acres of land.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46, and,

WHEREAS, notice of such public hearing will be given by due and proper publications thereof;

WHEREAS, said vacation of street has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering Electrical Engineering, Park Board and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

I, Henry P. Kehrenberg, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works following a Board of Works Meeting, held on May 16, 1977, and as the same appears of record in the office records of said Board of Public Works.

DATED THIS 16 DAY OF May, 1977

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Kehrenberg
Chairman

Edward H. LaMar
Member

May G. Scott
Member

PETITION TO VACATE PART OF FORMER DECATUR ROAD

TO: THE CITY PLAN COMMISSION, CITY OF FORT WAYNE, INDIANA
THE BOARD OF WORKS, CITY OF FORT WAYNE, INDIANA

The undersigned petitioners do hereby respectfully petition the Fort Wayne City Plan Commission and the Board of Public Works to vacate that portion of Old Decatur Road within the City of Fort Wayne, Indiana adjoining Lot #40 in Gardendale Addition to the City of Fort Wayne, Indiana on the west described in the attached Certificate of Survey.


In support thereof, your petitioners would represent as follows:

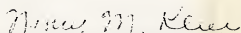
1. That they are the owners of Lot #40 in Gardendale Addition to the City of Fort Wayne, Indiana which the aboved described real estate on the east.
2. That Decatur Road was moved from its former location and now adjoins the above real estate on the west leaving the area between the new location of Decatur Road and Lot #40 in Gardendale Addition to the City of Fort Wayne, Indiana as part of a street right-of-way which is no longer occupied and used for street purposes.
3. The City of Fort Wayne, Indiana has agreed through its Board of Public Works to sell the above described real estate and desire to obtain the vacation of said street so as to be able to convey a merchantable title to the undersigned.
4. That no other person, firm or corporation is interested in or affected by the request of the vacation.
5. That the maintenance of said street is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof to vacate the same.

Your petitioners file this petition pursuant to the authority granted in Indiana Code Section 18-7-5-46 in order to vacate the vacation as above described.

WHEREFORE, your petitioners pray that the above described street be vacated according to the provisions of the Indiana Law pertaining thereto.

Dated this 11 day of February, 1977.


Leo A. Klier


Nancy M. Klier

Petitioners, Leo A. Klier and Nancy M. Klier, in support of the attached petition for zoning ordinance amendment would respectfully show the Council:

Since 1964, petitioners have owned Lot 40 Gardendale Addition, which is located at the Northeast corner of the present location of Old Decatur and Tillman Roads, as shown in the drawing attached hereto. Lot 40 is unimproved real estate and is located in a B-1-B District.

The City of Fort Wayne is re-designing the intersection of the two roads so that they will intersect at a 90° angle, and seeks to sell the shaded area as shown on the drawing attached. The appraised value of the area to be sold is \$14,000.00. Petitioners have offered that sum to the City for a conveyance, contingent upon rezoning of the tract to be 1-B.

The real estate located West of the present West right-of-way line of Old Decatur Road is zoned R-A. It is uncertain whether or not streets adjacent to real estate carry the same zoning designation as the adjoining real estate or whether streets have any zoning designation whatsoever. Further, it would appear that a small triangular area in the Southwest corner of the shaded area is presently zoned R-A.

The purpose of this petition is elimination of any questions regarding the zoning of the real estate the City seeks to convey and petitioners seek to purchase.

DUNTON, BECKMAN, WYNEKEN, LAWSON
& FRUECHTENICHT

BY: 

2410 Fort Wayne Bank Building
Fort Wayne, Indiana 46802
423-1602

Attorneys for Petitioners

Z. K. TAZIAN ASSOCIATES, Inc.

PROFESSIONAL ENGINEERS & LAND SURVEYORS

Zohrab K. Tazian, PE & LS
President

Jerry K. Walker, PE & LS
Vice-President

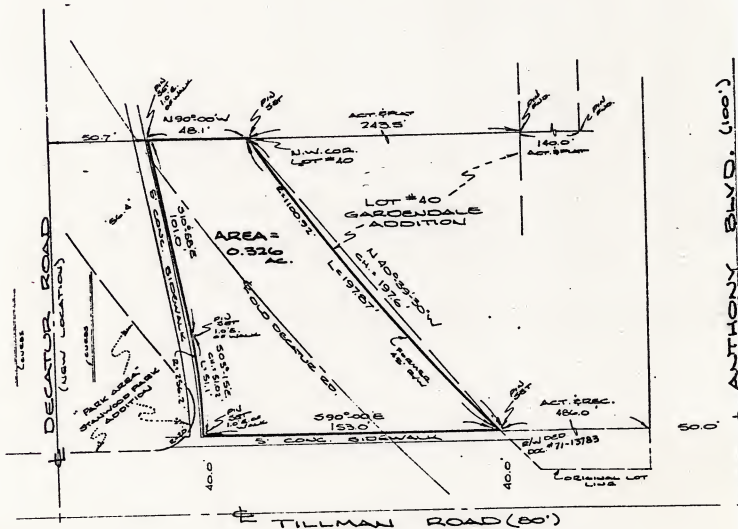
Certificate of Survey

This document is a record of a resurvey of land and real estate prepared in conformity with established rules of surveying and made in accordance with the records or plat on file in the Recorder's office of Allen County, State of Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments by adjoining land owners unless specifically shown below. Corners were perpetuated as indicated.

DESCRIPTION OF REAL ESTATE

See Page 2 for Description.

This property is not in special flood hazard area as defined by the FIA Flood Hazard Boundary Map No. H-01-18, effective Jan. 30, 1976.



SCALE:
1" = 50'

I hereby certify on the 16th day of July, 1976 that the above survey is correct.
REVISED: 25 SEPT 76 - "PARK AREA" ADDED

Surveyed for: Klier

Survey No.: CF-100

Z. K. TAZIAN ASSOCIATES, Inc.

PROFESSIONAL ENGINEERS & LAND SURVEYORS

Zohrab K. Tazian, PE & L.S.
President

Jerry K. Walker, PE & L.S.
Vice-President

Certificate of Survey

This document is a record of a resurvey of land and real estate prepared in conformity with established rules of surveying and made in accordance with the records or plat on file in the Recorder's office of Allen County, State of Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments by adjoining land owners unless specifically shown below. Corners were perpetuated as indicated.

DESCRIPTION OF REAL ESTATE

Part of the former right-of-way of Decatur Road (formerly U. S. #27) in the Southeast Quarter of Section 25, Township 30 North, Range 12 East, Allen County, Indiana, lying Westerly of and adjacent to Lot #40 in Gardendale Addition to the City of Fort Wayne, and being more particularly described as follows, to wit:

Beginning at the Northwest corner of said Lot #40; thence N 90°-00' W (assumed bearing) on and along the Westerly projection of the North line of said Lot #40, a distance of 48.1 feet to a point situated 1.0 feet East of an existing concrete sidewalk; thence S 10°-58' E, and parallel to said sidewalk, 101.0 feet to the point of curvature of a regular curve to the right having a radius of 256.2 feet; thence Southeasterly, on and along the arc of said curve and continuing 1.0 feet East of said sidewalk, 51.1 feet (the chord of which bears S 05°-15' E for a length of 51.02 feet) to the Westerly projection of the North right-of-way line of Tillman Road as established by a dedication of right-of-way across said Lot #40 as recorded at Document #71-13783 in the Office of the Recorder of Allen County, Indiana; thence S 90°-00' E, on and along said Westerly projection of said North right-of-way line, being a line situated 40.0 feet (measured at right angles) North of and parallel to the centerline of Tillman Road, 153.0 feet to the Westerly line of said Lot #40; thence Northwesterly, on and along said Westerly line, being also the Easterly right-of-way line of Decatur Road as defined by a regular curve to the right, having a radius of 1100.92 feet, an arc distance of 197.87 feet (the chord of which bears N 40°-39'-30" W, for a length of 197.6 feet) to the point of beginning, containing 0.326 acres of land.

I hereby certify on the 16th day of July, 1976 that the above survey is correct.

Surveyed for: Klier

Survey No.: CF-100

DIGEST SHEETTITLE OF ORDINANCE General G. 77-07-31DEPARTMENT REQUESTING ORDINANCE Long Range & PlanningSYNOPSIS OF ORDINANCE An Ordinance amending General OrdinanceNo. G-97 by authorizing the vacation of a certain street

EFFECT OF PASSAGE _____

EFFECT OF NON-PASSAGE _____

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

Room 122

Charles W. Westerman, clerk

September 19, 1977

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of September 22, and September 29, 1977.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Zoning Map Ordinances:

Bill No. Z-77-06-14
(as amended)
Zoning Map Ordinance Z-23-77

Bill No. G-77-06-42
General Ordinance No. G-33-77

Bill No. G-76-10-27
(as amended)
General Ordinance No. G-32-77

Bill No. G-77-07-31
General Ordinance No. G-34-77

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman
City Clerk

CWM/ne
ENCL: 1

Common Council of Fort Wayne

(Governmental Unit)

Allen

County, Ind.

To THE NEWS-SENTINEL

Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	_____
Head	number of lines	_____
Body	number of lines	140
Tail	number of lines	1
Total number of lines in notice		141

COMPUTATION OF CHARGES

141 lines, 1 columns wide equals 141 equivalent lines at .259¢ = 36.52 cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount) = 1.50

Charge for extra proofs of publication (50 cents for each proof in excess of two) = 38.02

TOTAL AMOUNT OF CLAIM = 76.04

DATA FOR COMPUTING COST

Width of single column 9.9 ems Size of type 5½ point
Number of insertions 2 Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date September 29 1977

Title _____ CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is _____ CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for _____ time, the dates of publication being as follows: 9/22-29/77

Subscribed and sworn to before me this 29th day of September 1977
Notary Public

My commission expires September 28, 1979

(The president with Ron Smith
Ordinance No. G-77 of 1977, the
13th day of September, 1977, the Com-
mon Council of the City of Fort
Wayne, Indiana, in a Regular Session
did pass the following BILL NO. G-77
of 1977, G-34-77 General Ordinance, to-
wit:
BILL NO. G-77 of 1977
GENERAL ORDINANCE NO. G-34-
77
AN ORDINANCE amending Gener-
al Ordinance No. G-97 by authorizing
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BE IT ORDAINED BY THE COM-
MON COUNCIL OF THE CITY OF
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SECTION 1. Petition for the vaca-
tion of a certain street having been
filed with the Fort Wayne City Plan-
ning Commission in accordance with Sec-
tion 44, Chapter 174 of the Acts of the
General Assembly of the State of Indi-
ana, as amended by Section 3, Chap-
ters 185, of the Acts of 1963 of the Gen-
eral Assembly of the State of Indiana,
LC 18-7-5-66, the Thoroughfare Plan
as set forth in General Ordinance No.
G-97 adopted by the Common Council
of the City of Fort Wayne on Novem-
ber 26, 1963, is amended by deleting
the following street, to-wit:
Part of the right-of-way of Decatur
Road (formerly U.S. 27) in the South-
east Quarter of Section 25, Township
30 North, Range 12 East, Allen Coun-
ty, Indiana, lying westerly of and ad-
jacent to Lot 40 in Garadendale
Addition to the City of Fort Wayne,
and being more particularly de-
scribed as follows, to-wit:
Beginning at the Northwest corner
of Lot No. 40; thence N. 90 degrees -
00 minutes W. (assumed bearing) on
Survey - regular - 1/4 section - 34-77, In-
diana, this 14th day of September, 1977,
Charles W. Westernman City Clerk
9-22-79

CH COPY OF
ISEMENT HERE

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE

Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

Notice is hereby given that on the 13th day of September, 1977, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. G-77-07-31, G-34-77 General Ordinance, to wit:

BILL NO. G-77-07-31
GENERAL ORDINANCE NO. G-34-77

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana, I.C. 18-7-5-44, the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street, to-wit:

Part of the right-of-way of Decatur Road (formerly U.S. 271 in the South east Quarter of Section 25, Township 30 North, Range 12 East, Allen County, Indiana, lying Westerly of and adjacent to Lot 40 in Garondale Addition to the City of Fort Wayne, and being more particularly described as follows, to-wit:

Beginning at the Northwest corner of Lot No. 40; thence N. 90 degrees 00 minutes W. (assumed bearing) on and along the Westerly projection of the North line of said Lot No. 40, a DISTANCE OF 61.1 feet to a point situated 1.0 feet East of an existing concrete sidewalk; thence S. 10 degrees 55 minutes E., and parallel to said sidewalk, 101.0 feet to the point of curvature of a regular curve to the right having a radius of 254.2 feet; thence Southeasterly, on and along the arc of said curve and continuing 1.0 feet East of said sidewalk, 51.1 feet (the chord of which bears S. 55 degrees 15 minutes E. for a length of 51.02 feet) to the Westerly projection of the North right-of-way line of Tillman Road as established by a dedication of right-of-way across said Lot No. 40 as recorded at Document No. 71-13783 in the Office of the Recorder of Allen County, Indiana; thence S. 90 degrees 00 minutes E., on and along said Westerly projection of said North right-of-way line, being a line situated 40.0 feet (measured at right angles) North of and parallel to the center line of Tillman Road, 133.0 feet to the Westerly line of said Lot No. 40; thence Northwesterly, on and along said Westerly line, being a curve to the right, having a radius of 1100.92 feet, an arc distance of 197.87 feet (the chord of which bears N. 44 degrees 39 minutes 38 seconds W. for a length of 197.8 feet) to the point of beginning, containing 0.326 acres of land.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Witness my hand and the seal of the City of Fort Wayne, Indiana, this 29th day of September, 1977.

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight: Burns, Hinga, Hunter, Stier, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: One: Moses

Charles W. Westerman, City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-34-77 on the 13th day of September, 1977.

ATTEST: (SEAL)
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk
Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong, Mayor
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-34-77 passed by the Common Council on the 13th day of September, 1977, and that said Ordinance was duly signed and approved by the Mayor on the 14th day of September, 1977 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 14th day of September, 1977.

Charles W. Westerman, City Clerk
9-22-79

PUBLISHER'S CLAIM

play Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

d number of lines

y number of lines

number of lines

Total number of lines in notice

F CHARGES

1 lines, 1 columns wide equals 141 equivalent lines at .25¢ cents per line

ditional charge for notices containing rule or tabular work (50 per cent of above unit)

ge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

PUTING COST

9.9 of single column

ber of insertions. 2

provision and penalties of Ch. 89, Acts 1967,

that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just so part of the same has been paid.

Arvilla DeWald

ber 29 1977

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows:

9/22-29/79

Arvilla DeWald
Subscribed and sworn to before me this 29th day of September 1977

Harry J. Ows
Notary Public
My commission expires September 28, 1979

To JOURNAL-GAZETTE Dr

FORT WAYNE, INDIANA

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	_____
Head	number of lines	_____
Body	number of lines	<u>140</u>
Tail	number of lines	<u>1</u>
	Total number of lines in notice	<u>141</u>

141 lines, 1 columns wide equals 141 equivalent lines at .259¢
cents per line

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

Width of single column **2** ems Size of type $5\frac{1}{2}$ point

Number of insertions **2** Size of quad upon which type is cast $5\frac{1}{2}$

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date September 29 1977

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the _____

a DAILY newspaper of general circulation printed and published

in the English language in the city } of FORT WAYNE, INDIANA
in state and county aforesaid, ^{town} and that the printed matter attached hereto is a true copy,
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as follows:

9/22-29/77

Subscribed and sworn to before me this 29th day of September 1977

My commission expires September 28, 1979

[illegible]